## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE WESTERN DIVISION

FILED BY D.C.

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)	THOMAS M. GOULD CLERK, U.S. DISTRICT COURT W/D OF TV, MEMPHIS
)	W/D OF TN, MEMPHIS
)	No. 04-2865-DV
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## SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held on June 30, 2005. Only Handel R. Durham, Jr., counsel for the plaintiff, was present. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1): July 14, 2005

JOINING PARTIES: August 15, 2005

AMENDING PLEADINGS: August 15, 2005

INITIAL MOTIONS TO DISMISS: August 31, 2005

COMPLETING ALL DISCOVERY: October 31, 2005

FILING DISPOSITIVE MOTIONS: November 30, 2005

## OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other

filings that require a response must be filed sufficiently
This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on

Case 2:04-cv-02865-BBD-dkv Document 12 Filed 07/15/05 Page 2 of 4 PageID 25 advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for non-jury trial, and the trial is expected to last 2 days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

This case is not appropriate for ADR.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED this \_\_\_\_\_\_\_ day of July, 2005.

DIANE K. VESCOVO

UNITED STATES MAGISTRATE JUDGE



## **Notice of Distribution**

This notice confirms a copy of the document docketed as number 12 in case 2:04-CV-02865 was distributed by fax, mail, or direct printing on July 18, 2005 to the parties listed.

Handel R. Durham DURHAM & ASSOCIATES 100 North Main St. Ste. 2601 Memphis, TN 38103

Honorable Bernice Donald US DISTRICT COURT